

**CITY OF CARROLLTON
MAYOR AND COUNCIL MEETING
MONDAY, APRIL 5, 2004**

MINUTES

I. CALL TO ORDER

The Mayor and City Council met in regular session on Monday, April 5, 2004 at 6:00 p.m. in the West Carrollton Center, 115 West Center Street, Carrollton, Georgia. Mayor Garner called the meeting to order at 6:00 p.m.

Members present:

Mayor Wayne Garner

Councilmember Peter Balega

Councilmember Gerald Byrd

Members absent:

Councilmember Rusty Gray

II. INVOCATION

Councilmember Byrd offered the invocation.

III. MINUTES

Motion by Councilmember Byrd, seconded by Councilmember Balega to approve the minutes of the regular meeting on March 1, 2004. Motion passed, 3-0. Councilmember Gray absent.

IV. ITEMS OF DISCUSSION

1. Proclamation 04-02: Dean Brown Remembrance

The Mayor and Council presented a Remembrance Proclamation to Mrs. Sandra Brown and Mr. Kent Brown; wife and son of the late Mayor Pro-Tem Dean Brown. Mayor Garner expressed his sympathy to the Brown family and read the Remembrance Proclamation honoring Mr. Brown.

2. Proclamation 04-03: Wiggins & Camp Appreciation

The Mayor and Council expressed appreciation to Mr. Bill Wiggins and Dan Camp by approving a Proclamation of Appreciation for their years of service as City Attorneys. Mayor Garner noted that Mr. Wiggins and Mr. Camp were not present at the meeting and the Proclamation would be presented to Mr. Wiggins and Mr. Camp at a later date.

3. Resolution 04-09: City Attorney Appointment

Motion by Councilmember Byrd, seconded by Councilmember Balega to approve Resolution 04-09 appointing Charles Conerly the City Attorney as set forth by Section 2-131 and Section 2-132 of the City of Carrollton Code of Ordinances. Motion passed, 3-0. Councilmember Gray absent. At this time, Mayor Garner introduced Mr. Conerly to meeting attendees and expressed appreciation for his interest in serving the City.

4. Resolution 04-10: Code Amendment

Time and Place for Regular Meeting of the Mayor and Council

Motion by Councilmember Byrd, seconded by Councilmember Balega to approve Resolution 04-10 amending the City of Carrollton Code to change the time and place for regular meetings to the first Monday in each month at 6:00 p.m. at 115 West Center Street, Carrollton, Georgia or such alternative place within the corporate limits of the City as the Mayor and Council may from time to time designate. Motion passed, 3-0. Councilmember Gray absent.

5. Public Hearing: Rezoning Request

Petitioner: Ronnie Jordan

Location: 3.13 Acres off Hays Mill Road, Beavers Street and Nixon Street

Motion by Councilmember Byrd, seconded by Councilmember Balega to table the item until the next regularly scheduled meeting of the Mayor and Council. Motion passed, 3-0. Councilmember Gray absent.

6. Public Hearing: Rezoning Request

Petitioner: David Lambert

Location: 0.31 Acres at 402 College Street

Community Development Director Tracy Dunnivant presented a rezoning request from David Lambert for 0.31 acres located at 402 College Street. The property is currently zoned R-10 (Single-Family Residential) and the requested zoning is R-5 (Specified Commercial, Office, Neighborhood District). Director Dunnivant stated that the petitioner is planning to place six offices on the lower floor and his personal residence will occupy the upper two floors. The Planning Commission has recommended approval of the request with the condition that a landscape and parking plan be submitted to the Mayor and Council for approval. At this time, Mayor Garner opened the public hearing for citizen input on the matter. Those speaking in favor: Petitioner David Lambert explained the history of the property and his intentions to place offices on the first level and utilize the second and third floors for his personal residence. Mr. Lambert reviewed plans with the Mayor and Council and explained the landscape and parking plans. Mr. Lambert noted that if the rezoning request is approved, a variance from the Board of Appeals would need to be requested to meet the landscape plans. Those speaking opposed: None. There being no further comment, Mayor Garner closed the public hearing and inquired to Council's questions or motion on the matter. Councilmember Byrd and Balega inquired to the landscape plans and the need for a variance. Mr. Lambert explained that in order to keep one of

the larger trees on the property, a variance in the parking requirements would be needed. Mayor Garner inquired if the Council had a motion on the matter. Motion by Councilmember Byrd, seconded by Councilmember Balega to approve the rezoning request of David Lambert for 0.31 acres located at 402 College Street, currently zoned R-10 (Single-Family Residential) to R-5 (Specified Commercial, Office, Neighborhood District). Motion passed, 3-0. Councilmember Gray absent.

7. Call for Special Election

Motion by Councilmember Byrd, seconded by Councilmember Balega to issue the Call for a Special Election on July 20, 2004 to fill a vacancy in the office of City Council, Ward IV, Carrollton, Georgia, with term expiring December 31, 2007. Motion passed, 3-0. Councilmember Gray absent.

8. Surplus Fire Equipment Sale

City Manager Coleman presented a request from Fire Chief Jimmy Bearden requesting permission to sell two (2) 1980 model FMC/Chevrolet fire trucks. Noting that Fire Chief Bearden recommended placing a minimum bid of \$8,000 for each truck. Motion by Councilmember Byrd, seconded by Councilmember Balega to approve the sale of the surplus fire equipment as requested. Motion passed, 3-0. Councilmember Gray absent.

9. Fire Apparatus Purchase

City Manager Coleman presented a request from Fire Chief Bearden requesting the City consider purchasing another Fire Engine as an "add on" order to the two engines originally ordered in May 2002 and delivered February 2004. City Manager Coleman explained that the company (American LaFrance) had agreed to honor the price of the engine quoted two years ago with the exception of upgrades required by the EPA, NFPA and the U.S. Department of Labor Price Index Increase (1.5%). The cost of the engine is \$275,005.00. Following a brief discussion, Mayor Garner inquired if the Council had a motion on the item. Motion by Councilmember Byrd, seconded by Councilmember Balega to approve the purchase of the fire equipment as requested. Motion passed, 3-0. Councilmember Gray absent.

10. Bank Depository Services Bid Award

Motion by Councilmember Balega, seconded by Councilmember Byrd to table the awarding of the bank service bid until further information is provided by Finance Director/City Clerk Jim Triplett. Motion passed, 3-0. Councilmember Gray absent

11. Appointment: Board of Development Appeals (1)

Motion by Councilmember Byrd, seconded by Councilmember Balega to re-appoint Rev. James Byrd (term expiring 4/1/07) to the Board of Development Appeals. Motion carried, 3-0. Councilmember Gray absent.

12. Appointment: Payroll Development Authority (1)

Motion by Councilmember Byrd, seconded by Councilmember Balega to appoint Tim Warren (term expiring 12/30/06) to fill the expired term of Richard Duncan on the Payroll Development Authority. Motion carried, 3-0. Councilmember Gray absent.

13. MAYOR AND COUNCIL ANNOUNCEMENTS

- Councilmember Byrd: Expressed appreciation to Fire Chief Jimmy Bearden and the Fire Department for their recent visit to Carrollton Middle School. Expressed appreciation to Deputy Police Chief Joel Richards for efforts in West Carrollton.
- Councilmember Balega: Stated a final draft on the goals for the Water Quality Commission should be completed by the end of the week. Requested City Manager Coleman study the feasibility of using GIS technology to identify problem areas related to water, sewer, and storm water issues.
- Mayor Garner: Requested Councilmember Byrd to allow any remaining appointments on the Water Quality Commission to be filled by Councilmember Balega. Councilmember Byrd agreed. Expressed appreciation to Deputy Police Chief Richards for the efforts made to crack down on drugs. Stated he had received letters commending City employee's customer service.

14. CITY MANAGER ANNOUNCEMENTS

None

15. CITIZEN COMMENTS

- Mayor Garner welcomed Andrew Davis of Boy Scout Troop 901. Mr. Davis stated he was working on his Communication Badge.

V. ADJOURNMENT

There being no other business before the Mayor and Council, Mayor Garner adjourned the meeting at 6:50 p.m.

*Respectfully submitted by
Libby R. Duke, Deputy City Clerk*